# **1AC**

## **Part 1 is Framework**

First is the problem: Attempting to understand agents and ethics from an idealized, static, non-violent starting point fails

1. Ethical decision-making is inherently discriminatory- any obligation is violent to all other obligations. If I help one person, it means I cannot spend that time helping another.

Haggulund 04, THE NECESSITY OF DISCRIMINATION DISJOINING DERRIDA AND LEVINAS” MARTIN HÄGGLUND, 2004, p 56.

For the same reason, Derridaʼs notion of “infinite responsibility” should not be confl ated with Levinasʼs. For Derrida, the infinitude of responsibility answers to the fact that responsibility always takes place in relation to a negative infinity of others. The negative infinity of responsibility is both spatial (innumerable fi nite others that exceed my horizon) and temporal (innumerable times past and to come that exceed my horizon). Far from conf rming Levinasʼs sense of responsibility, the negative infi nity of others is fatal for his notion of an originary encounter that would give ethics the status of “first philosophy” and be the guiding principle for a metaphysical “goodness.” Even if it were possible to sacrifi ce yourself completely to another, to devote all your forces to the one who is encountered face-to-face, it would mean that you had disregarded or denied all the others who demanded your attention or needed your help. For there are always more than two, as Richard Beardsworth has aptly put it [137]. Whenever I turn toward another I turn away from yet another, and thus exercise discrimination. As Derrida points out in The Gift of Death, “I cannot respond to the call, the demand, the obligation, or even the love of another without sacrifi cing the other other, the other others” [68]. Consequently, Derrida emphasizes that the concept of responsibility lends itself a priori to “scandal and aporia” [68]. There are potentially an endless number of others to consider, and one cannot take any responsibility without excluding some others in favor of certain others. What makes it possible to be responsible is thus at the same time what makes it impossible for any responsibility to be fully responsible. Responsibility, then, is always more or less discriminating, and infi nite responsibility is but another name for the necessity of discrimination.

1. takes out all other frameworks that rely on an idealized starting point- they fail to guide action because the create infinite contradictory obligations that produce violence.
2. Impact turns idealized frameworks, which try to create absolute peace. This justifies absolute violence where nothing can ever occur.

Hagglund 2““[THE NECESSITY OF DISCRIMINATION DISJOINING DERRIDA AND LEVINAS” MARTIN HÄGGLUND], 2004

“A possible objection here is that we must strive toward an ideal origin or end, an arkhe or telos that would prevail beyond the possibility of violence. Even if every community is haunted by victims of discrimination and forgetting, we should try to reach a state of being that does not exclude anyone, namely, a consummated presence that includes everyone. However, it is precisely with such an “ontological” thesis that Derridaʼs hauntological thinking takes issue. At several places in Specters of Marx he maintains that a completely present life—which would not be “out of joint,” not haunted by any ghosts—would be nothing but a complete death. Derridaʼs point is not simply that a peaceful state of existence is impossible to realize, as if it were a desirable, albeit unattainable end. Rather, he challenges the very idea that absolute peace is desirable. In a state of being where all violent change is precluded, nothing can ever happen. Absolute peace is thus inseparable from absolute violence, as Derrida argued already in “Violence and Metaphysics.” Anything that would finally put an end to violence (whether the end is a religious salvation, a universal justice, a harmonious intersubjectivity or some other ideal) would end the possibility of life in general. The idea of absolute peace is the idea of eliminating the undecidable future that is the con- dition for anything to happen. Thus, the idea of absolute peace is the idea of absolute violence.” (49)

Second is the solution:

Conflict and violence are inevitable; the only way to organize it is through agonism. It frames those with opposing views as not the enemy who must be destroy, but an adversary whose ideas should be fought. I don’t pretend to resolve exclusion, I just exclude the exclusionary thing.

Mouffe 2k brackets for gendered langauge, Chantal, THE DEMOCRATIC PARADOX, 2000

One of the principal theses that I have defended in my work is that properly political questions always involve decisions which require a choice between alternatives that are undecidable from a strictly rational point of view. This is something the liberal theory cannot admit due to the inadequate way it envisages pluralism. The liberal theory recognises that we live in a world where a multiplicity of perspectives and values coexist and, for reasons it believes to be empirical, accepts that it is impossible for each of us to adopt them all. But it imagines that these perspectives and values, brought together, constitute a harmonious and non-conflictual ensemble. This type of thought is therefore incapable of accounting for the necessarily conflictual nature of pluralism, which stems from the impossibility of reconciling all points of view, and it is what leads it to negate the political in its antagonistic dimension. ¶ I myself argue that only by taking account of the political in its dimension of antagonism can one grasp the challenge democratic politics must face. Public life will never be able to dispense with antagonism for it concerns public action and the formation of collective identities. It attempts to constitute a ‘we’ in a context of diversity and conflict. Yet, in order to constitute a ‘we’, one must distinguish it from a ‘they’. Consequently, the crucial question of democratic politics is not to reach a consensus without exclusion which would amount to creating a ‘we’ without a corollary ‘they’ but to manage to establish the we/they discrimination in a manner compatible with pluralism. ¶ According to the ‘agonistic pluralism’ model that I developed in The Democratic Paradox (London: Verso, 2000) and On the Political (London: Routledge, 2005), pluralist democracy is characterised by the introduction of a distinction between the categories of enemy and adversary. This means that within the ‘we’ that constitutes the political community, the opponent is not considered an enemy to be destroyed but an adversary whose existence is legitimate. His [Their] ideas will be fought with vigour but [their]his right to defend them will never be questioned. The category of enemy does not disappear, however, for it remains pertinent with regard to those who, by questioning the very principles of pluralist democracy, cannot form part of the agonistic space. With the distinction between antagonism (friend/enemy relation) and agonism (relation between adversaries) in place, we are better able to understand why the agonistic confrontation, far from representing a danger for democracy, is in reality the very condition of its existence. Of course, democracy cannot survive without certain forms of consensus, relating to adherence to the ethico-political values that constitute its principles of legitimacy, and to the institutions in which these are inscribed. But it must also enable the expression of conflict, which requires that citizens genuinely have the possibility of choosing between real alternatives.

The standard is consistency with agonistic democracy.

Prefer the standard

1. Agonism outweighs regardless of the role of the ballot or framework. To make claims about the structure and shape of either the activity or morality relies on the initial assumption that debaters have the ability to contest these things. This entails that higher-level deliberation and contestation about how the ballot should function or what ethics is relies on the initial AC premise.

2. Educational spaces must embrace contestation as a condition for resistance. Any attempt to exclude challenges reaffirms pedagogical imperialism, where the teacher knows best.

**Rickert 01** [Thomas, “"Hands Up, You're Free": Composition in a Post-Oedipal World”, JacOnline Journal]

“This essay will employ Deleuze's and Zizek's theories to illustrate the limitations of writing pedagogies that rely on modernist strategies of critical distance or political agency. **Implicit in** such **pedagogies is** the **faith that teaching** writing **can resist dominant** social **practices and empower** students; **however**, the notion that we can actually foster resistance through **teaching is** questionable. As Paul Mann states, "all the forms of opposition have long since revealed themselves as means of advancing it. ... The mere fact that something feels like resistance and still manages to offend a few people (usually not even the right people) hardly makes it effective" (138). In light of Mann's statement, I urge us to take the following position: teaching writing is **fully complicitous with dominant** social **practices**, and inducing students to write in accordance with institutional precepts can be as disabling as it is enabling. By disabling, I do not mean that learning certain skills-typically those most associated with current-traditional rhetorics, such as superficial forms of grammatical correctness, basic organization, syntactic clarity, and such-are not useful. Such skills are useful, and they are often those most necessary for tapping the power that writing can wield. In learning such skills, however, **we should** also **ask** what students [aren’t] are not learning**. What** other **forms** **of** writing and **thinking are being foreclosed** or distorted, forms of writing that have their own, different powers? **If** one of **our goals** as teachers of writing **is** to initiate students into rhetorics of power and **resistance, we should** also **be** **equally** attuned to rhetorics of **contestation.** Specifically, we must take on the responsibility that comes with **the impossibility of knowing the** areas of contention and **struggle** that **will be the most important** in our students' lives. Pedagogy could reflect this concern in its practices by attending to the idea that each student's life is its own telos, meaning that the individual struggles of each student cannot and should not necessarily mirror our own. Or, to put it another way, students must sooner or later overcome us, even though we may legitimate our sense of service with the idea that we have their best interests in mind. However, we should be suspicious of this presumptive ethic, for, as Mann astutely observes, "nothing is more aggressive than the desire to serve the other” (48)

Impact Calc- Consequences are irrelevant to the framework, it is about creating the procedures for agonistic discourse

a. being denied access to discourse is not a material condition but a procedure that is created

through the structure of our actions- only institutional arrangements can ensure a proper discursive sphere

b. aggregation is impermissible under the framework- it justifies why rationality and utility calculus are bad because they rely on idealized notions of subjects that we can compare and count.

c. Problem of induction-We have no evidence that the past can be used to predict the future. The only evidence we could point to is that in the past, the past has always been used to predict the future accurately, but that assumes what we are trying to prove.

Vickers 14, John, 2014, The Problem of Induction, https://plato.stanford.edu/entries/induction-problem/

The original problem of induction can be simply put. It concerns the support or justification of inductive methods; methods that predict or infer, in Hume's words, that “instances of which we have had no experience resemble those of which we have had experience” (THN, 89). Such methods are clearly essential in scientific reasoning as well as in the conduct of our everyday affairs. The problem is how to support or justify them and it leads to a dilemma: the principle cannot be proved deductively, for it is contingent, and only necessary truths can be proved deductively. Nor can it be supported inductively—by arguing that it has always or usually been reliable in the past—for that would beg the question by assuming just what is to be proved.

d. Consequences fail- we live in an infinite universe

Bostrom 09, *Nick, Professor of Philosophy – Oxford University, “Infinite Ethics." 2009.*

“Recent cosmological evidence suggests that the world is probably infinite. Moreover, if the totality of physical existence is indeed infinite, in the kind of way that modern cosmology suggests it is, then it contains an infinite number of galaxies, stars, and planets. If there are an infinite number of planets then there is, with probability one, an infinite number of people. Infinitely many of these people are happy, infinitely many are unhappy. Likewise for other local properties that are plausible candidates for having value, pertaining to person‐states, lives, or entire societies, ecosystems, or civilizations—there are infinitely many democratic states, and infinitely many that are ruled by despots, etc.” Bostrom 2 continues: “Suppose the world contains an infinite number of people and a corresponding infinity of joys and sorrows, preference satisfactions and frustrations, instances of virtue and depravation, and other such local phenomena at least some of which have positive or negative value. More precisely, suppose that there is some finite value ε such that there exists an infinite number of local phenomena (this could be a subset of e.g. persons, experiences, characters, virtuous acts, lives, relationships, civilizations, or ecosystems) each of which has a value ≥ ε and also an infinite number of local phenomena each of which has a value ≤ (‒ ε). Call such a world canonically infinite. Ethical theories that hold that value is aggregative imply that a canonically infinite world contains an infinite quantity of positive value and an infinite quantity of negative value. This gives rise to a peculiar predicament. We can do only a finite amount of good or bad. Yet in cardinal arithmetic, adding or subtracting a finite quantity does not change an infinite quantity. Every possible act of ours therefore has the same net effect on the total amount of good and bad in a canonically infinite world: none whatsoever. Aggregative consequentialist theories are [thus] threatened by infinitarian paralysis: they seem to imply that if the world is canonically infinite then it is always ethically indifferent what we do. In particular, they would imply that it is ethically indifferent whether we cause another holocaust or prevent one from occurring. If any non‐contradictory normative implication is a reductio ad absurdum, this one is.”

## Part 2 is Advocacy

I defend the resolution. I’ll defend implementation- but it is irrelevant to my framework.

## Part 3 is Contention

Censorship is never justifiable since censorship relies on the assumption that some viewpoint is not legitimate enough to be voiced. Institutions should foster free speech not destroy it.

**Mouffe 2** [Chantal Mouffe, Professor at the Department of Political Science of the Institute for Advanced Studies. June 2000. “The Democratic Paradox”]

I submit that this is a crucial insight which undermines the very objective that those who advocate the 'ddiberative' approach present as the aim of democracy: the establishment of a rational consensus on universal principles. They believe that through rational deliberation an impartial standpoint could be reached where decisions would be taken that are equally in the interests of alt.l :! Wittgenstein, on the contrary. suggests another view. If we follow his lead. we should acknowledge and valorize the diversity of ways in which the 'democratic game' can be played, instead of trying to reduce this diversity to a uniform model of citizenship. This would mean **foster**ing a **plurality** of forms of being a democratic citizen **and** **creating** the **institutions that would make it possible to follow** the **democratic rules** in a plurality of ways. What Wittgenstein teaches us is that there cannot be one single best, more 'rational' way to obey those rules and that it is precisely such a recognition that is constitutive of a pluralist democracy. 'Following a rule', says Wittgenstein, 'is analogous to obeying an order. We are trained to do so we react to an order in a particular way. But what if one person reacts in one way and another in another to the order and the training? Which one is right?'23 This is indeed a crucial question for democratic theory. And it cannot be resolved, pace the rationalists, by claiming that there is a correct understanding of the rule that every rational person should accept. To be sure, we need to be able to distinguish between 'obeying the rule' and 'going against it'. But **space needs to be provided for** the many **different practices in which obedience to the democratic rules can be inscribed**. And this should not be envisaged as a temporary accommodation, as a stage in the process leading to the realization of the rational consensus, but as a constitutive feature of a democratic society. Democratic citizenship can take many diverse forms and such a **diversity**, far from being a danger for democracy, **is** in fact **its** very **condition of existence**. This will of course, create conflict and it would be a mistake to expect all those different understandings to coexist without dashing. But this struggle will not be one between 'enemies' but among 'adversaries', since **all participants will recognize the positions of the others in the contest as legitimate ones.** Such an understanding of democratic politics, which is precisely what I call 'agonistic pluralism', is unthinkable within a rationalistic problematic which, by necessity. tcods to erase diversity. A perspective inspired by Wittgenstein. on the contrary, can contribute to its formulation, and this is why his contribution to democratic thinking is invaluable.

2. Consequential Frameworks affirm-

A. Empirics show reverse enforcement and increased discrimination

Strossen 01 (Nadine, Law @NYU, Incitement to Hatred: Should There Be a Limit Copyright (c) 2001 Board of Trustees of Southern Illinois University Southern Illinois University Law Journal Winter, 2001 25 S. Ill. U. L. J. 243)

Based on actual experience and observations in countries around the world, the respected international human rights organization, Human Rights Watch, concluded that suppressing hate speech does not effectively promote equality or reduce discrimination. In 1992, Human Rights Watch issued a report and policy statement opposing any restrictions on hate speech that go beyond the narrow confines permitted by traditional First Amendment principles. Human Rights Watch's policy statement explains its position as follows: The Human Rights Watch policy attempts to apply free speech principles in the anti-discrimination context in a manner that is respectful of both concerns, believing that they are complementary, not contradictory. While we recognize that the policy is closer to the American legal approach than to that of any other nation, it was arrived at after a careful review of the experience of many other countries . . . . This review has made clear that there is little connection in practice between draconian "hate speech" laws and the lessening of ethnic and racial violence or tension. Furthermore, most of the nations which invoke "hate speech" laws have a long way to go in implementing the provisions of the Convention for the Elimination of Racial Discrimination calling for the elimination of racial discrimination. Laws that penalize speech or membership are also subject to abuse by the dominant racial or ethnic group. Some of the most stringent "hate speech" laws, for example, have long been in force in South Africa, where they have been used almost exclusively against the black majority. n42 Similar conclusions were generated by an international conference in 1991 organized by the international free speech organization, Article 19, [\*259] which is named after the free speech guarantee in the Universal Declaration of HumanRights. That conference brought together human rights activists, lawyers, and scholars, from fifteen different countries, to compare notes on the actual impact that anti-hate-speech laws had in promoting equality, and countering bias and discrimination, in their respective countries. The conference papers were subsequently published in a book, Striking A Balance: Hate Speech, Free Speech, and Non-Discrimination. n43 The conclusion of all these papers was clear: not even any correlation, let alone any causal relationship, could be shown between the enforcement of anti-hate-speech laws by the governments in particular countries and an improvement in equality or inter-group relations in those countries. In fact, often there was an inverse relationship. These findings were summarized in the book's concluding chapter by Sandra Coliver, who was then Article 19's Legal Director: Laws which restrict hate speech have been flagrantly abused by the authorities. Thus, the laws in Sri Lanka and South Africa have been used almost exclusively against the oppressed and politically weakest communities. In Eastern Europe and the former Soviet Union these laws were vehicles for the persecution of critics who were often also victims of state-tolerated or sponsored anti-Semitism. Selective or lax enforcement by the authorities, including in the United Kingdom, Israel and the former Soviet Union, allows governments to compromise the right of dissent and inevitably leads to feelings of alienation among minority groups. Such laws may also distract from the need for effective legislation to promote non-discrimination. The rise of racism and xenophobia throughout Europe, despite laws restricting racist speech, calls into question the effectiveness of such laws in the promotion of tolerance and non-discrimination. One worrying phenomenon is the sanitized language now adopted to avoid prosecution by prominent racists in Britain, France, Israel and other countries, which may have the effect of making their hateful messages more acceptable to a broader audience. n44

B. Free speech on campus allows students to become critical advocators who demand liberation themselves

DeBrabander 15: DeBrabander, Firmin. [Associate Professor of Philosophy, Maryland Institute College of Art] “Do Guns Make Us Free?: Democracy and the Armed Society.” Yale University Press, May 19, 2015

The famed education theorist Paolo Freire called mistrust a major tool of oppression. Freire was interested in educating the children of oppressed populations with a view to politically empowering them, teaching them to act and behave as invested, willful citizens such as democracy requires. In his most important work, Pedagogy of the Oppressed, Freire deplores what he calls the “banking concept” of education, whereby students are deemed fit only to fill up with useful information, digested via rote learning, so that they might become cogs in the machine of society, or in some cases, members of an existing oppressive system. 60 Freire wished that schools might produce individuals who could think critically for themselves, demand their rights, and freely choose their own paths. To that end, he favors “dialogical theory of education,” which he describes as follows: “problem-posing education, which breaks with the vertical patterns characteristic of banking education, can fulfill its function as the practice of freedom only if … the teacher-of-the-students and the students-of-the-teacher cease to exist and a new term emerges: teacher-student with students-teacher.” 61 Dialogue carried out in this manner, problem-posing engaged in collectively by students and teachers, produces a community of questioners in the classroom. It introduces a horizontal relationship— a fundamental equality that will later be politically significant for emergent citizens. Most colleges in twenty-first-century America take Freire’s approach— it’s how they already conduct learning in the classroom: faculty are urged to create a decentered classroom where students are not intimidated by professors lecturing from the podium, but rather, engaged in discussion— and direct questioning— by professors who are seated at the same table as students, and who encourage students to speak their minds and experiment with their thoughts. Obviously, Freire’s account does not map neatly onto, say, the kindergarten classroom. Children that age need a disciplinary figure, and democracy should not necessarily reign in kindergarten. But, Freire would say, his basic theory bears important intuitions even there: we must still strive to make young students responsive and critical learners, and teach them as far possible horizontally and collaboratively. They are not simply to be lectured to.

## Part 4 is the Underview

1. Allow the aff to set drop the debater, competing interps, no RVIs, fairness is a voter and theory comes before the K in the 1ac.

a. Chills abusive affs – by granting the neg a no risk voting issue on theory I’m incentivized to read a fair position or lose on theory.

b. 1ar recourse- forcing the aff to justify paradigm issues in the 1ar or 1ac allows the neg to spread out the aff on the paradigm issues like PV Pen does every time they read a condo PIC, which kills theory as a recourse. Also makes theory too much of a time suck to read in a short 1ar, killing theory as a recourse.

2. The role of the ballot is to vote on the truth or falsity of the resolution. Prefer

1. Text: Five dictionaries define to negate as to deny the truth of and affirm as to prove true which means the sole judge obligation is to vote on the resolution’s truth or falsity. It is abundantly clear that our roles are verified.

B. Contesting the role of the ballot is bad, prefer the AC framework as long as it is theoretically legitimate.

1st: it moots 6 minutes of AC offense since it uplayers my offense, which destroys aff, ground.

2nd: Also means the neg never has to clash and engage with the aff which means they get superficial education. Fairness is a voter since the ballot asks who the better debater is and you cant do that if the round is unfair.

3rd: Coopts all their offense- they can read their role of the ballot when their aff.

3. Agonism is needed to both literally stop exclusion and to gain advocacy skills to fight oppression.

Harrigan 08 [Casey, Associate Director of Debate at UGA, Master’s in Communications – Wake Forest U., “A Defense of Switch Side Debate”, Master’s thesis at Wake Forest, Department of Communication, May, pp.43-45]

The Relevance Of Argumentation For Advancing Tolerant Politics Cannot Be Underestimated. The **willingness to be open to alternative views** has a material **impact** on difference in at least two primary ways. First, the **rendering** of a **certain belief as “off limits” from debate** and the prohibition of ideas from the realm of contestation **is** conceptually **indistinct from** the physical **exclusion** of people from societal practices. Unlike racial or gendered concerns, certain groups of people (the religious, minority political parties, etc.) are defined almost exclusively by the arguments that they adhere to. To deem these views unspeakable or irrelevant is to functionally deny whole groups of people access to public deliberation. Second, argument, as individual advocacy, is an expression of belief. It has the potential to persuade members of the public to either support or oppose progressive politics. Belief itself is an accurate indicator of the way individuals will chose to act—with very real implications for openness, diversity and accommodation. Thus, as a precursor to action, argument is an essential starting point for campaigns of tolerance. Argumentative pluralism can be defined as the proper tolerance for the expression of a diversity of ideas (Scriven 1975, p. 694). Contrary to monism, pluralism holds that there are many potential beliefs in the world and that each person has the ability to determine for himself or herself that these beliefs may hold true. Referring back to the opening examples, a pluralist would respect the right for the KKK to hold certain beliefs, even if he or she may find the group offensive. In the argumentative context, pluralism requires that participants to a debate or discussion recognize the right of others to express their beliefs, no matter how objectionable they may be. The key here is expression: although certain beliefs may be more “true” than others in the epistemic sense, each should have equal access (at least initially) to forums of deliberation. It is important to distinguish pluralism from its commonly confused, but only loosely connected, counterpart, relativism. To respect the right of others to hold different beliefs does not require that they are all considered equal. Such tolerance ends at the intellectual level of each individual being able to hold their own belief. Indeed, as Muir writes, “It [pluralism] implies neither tolerance of actions based on those beliefs nor respecting the content of the beliefs” (288). Thus, while a pluralist may acknowledge the right for the Klan to hold exclusionary views, he or she need not endorse racism or anti-Semitism itself, or the right to exclude itself. Even when limited to such a narrow realm of diversity, argumentative pluralism holds great promise for a politics based on understanding and accommodation that runs contrary to the dominant forces of economic, political, and social exclusion. Pluralism requires that individualsacknowledge opposingbeliefs and arguments by forcing an understanding thatpersonalconvictions are not universal. Instead of blindly asserting a position as an “objective truth,” advocates tolerate a multiplicity of perspectives, allowing a more panoramic understanding of the issue at hand (Mitchell and Suzuki 2004, p. 10). In doing so, the advocates frequently understand that there are persuasive arguments to be had on both sides of an issue. As a result, instead of advancing a cause through moralistic posturing or appeals to a falsely assumed universality (which, history has shown, frequently become justifications for scape-goating and exclusion), these proponents become purveyors of reasoned arguments that attempt to persuade others through deliberation. A clear example of this occurs in competitive academic debate. Switch-side debating has profound implications for pluralism. Personal convictions are supplemented by conviction in the process of debate. Instead of being personally invested in the truth and general acceptance of a position, debaters use arguments instrumentally, as tools, and as pedagogical devices in the search for larger truths. Beyond simply recognizing that more than one side exists for each issue, switch-side debate advances the larger cause of equality by fostering tolerance and empathy toward difference. Setting aside their own “ego-identification,” **students** realize that they must **listen and understand** **their opponent’s** arguments well enough **to become advocates on behalf of them** in future debates (Muir 1993, p. 289). Debaters assume the position of their opponents and understand how and why the position is constructed as it is. As a result, they often come to understand that a strong case exists for opinions that they previously disregarded. Recently, advocates of switch side debating have taken the case of the practice a step further, arguing that it, “originates from a civic attitude that serves as a bulwark against fundamentalism of all stripes” (English, Llano, Mitchell, Morrison, Rief and Woods 2007, p. 224). Debating practices that break down exclusive, dogmatic views may be one of the most robust checks against violence in contemporary society.

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